



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

November 27, 2013

BY HAND AND FILED ON ECF

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Chambers 2240
New York, New York 10007

Re: United States v. Abu Ghayth
S13 98 Cr. 1023 (LAK)

Dear Judge Kaplan:

As discussed during yesterday's telephone conference, and upon further consideration, the Government writes respectfully to advise the Court that it intends to request that the Court impanel an anonymous jury at trial in the above-referenced case. More specifically, the Government expects to move for an order, similar to the order issued by this Court in *United States v. Ghailani*, S10 98 Cr. 1023 (LAK), directing: (1) that all prospective jurors on the *voir dire* panel, as well as the jurors and alternate jurors who are ultimately selected for the petit jury, not reveal their names, addresses, or places of employment; (2) that the jurors be kept together during recesses and that the United States Marshals Service take the jurors to, or provide them with, lunch as a group each day throughout the pendency of the trial; and (3) that, at the beginning and end of each trial day, the jurors be transported together by the United States Marshals Service to and from the Courthouse to an undisclosed central location or locations, at which the jurors can assemble from, or leave for, their respective residences.

The Government proposes that it submit its motion for an anonymous jury no later than December 4, 2013. We have spoken briefly about this matter with Stanley Cohen, Esq., attorney for the defendant, who is currently overseas. We understand that Mr. Cohen will submit a letter

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to the Court next week advising whether he intends to oppose the Government's motion and, if so, proposing a date for his opposition papers.

Respectfully submitted,

PREET BHARARA
United States Attorney
Southern District of New York

By: _____/s/_____
John P. Cronan
Nicholas J. Lewin
Michael Ferrara
Assistant United States Attorneys
212-637-2779 / -2337 / -2526

cc: Stanley L. Cohen, Esq.
Geoffrey S. Stewart, Esq.
Zoe J. Dolan, Esq.
By electronic mail